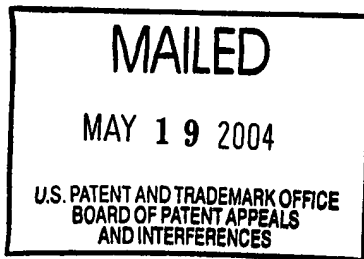


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JAN ERIKSSON

Application 09/581,911

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on April 21, 2004. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the examiner. The matters requiring attention prior to docketing are identified below.

On March 9, 2004, a REMAND TO THE EXAMINER was mailed (Paper No. 21) which requested:

1. consideration of the Reply Brief filed December 8, 2003 (Paper No. 20);

2. clarification as to which rejections are to be reviewed on appeal; and

3. clarification as to the inconsistency regarding the prior art being applied to the § 103(a) rejection of claims 5-7.

In response, an Office communication was mailed on April 19, 2004 (Paper No. 22) noting that the "reply brief . . . has been entered and considered." In addition, a supplemental Examiner's Answer (listed as Paper No. 23) has been placed in the file. However, since no mailing date appears on this paper, there is no indication that this paper has been mailed to appellant. The paper also does not appear on the "Contents" page of the application file nor does it appear in the PALM database. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

1. for mailing a stamped, dated copy of the supplemental Examiner's Answer (Paper No. 23) to appellant;


2. for entering the supplemental Examiner's Answer (Paper No. 23) onto the "Contents" page of the application file;

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3. for entering the supplemental Examiner's Answer
(Paper No. 23) into the appropriate databases; and
4. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE SHAW

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DS/psb/pb
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